



Green Beagle



PRESS RELEASE

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Multi-stakeholder Conference Calls for New Law on Assistance to Pollution Victims and Assurance of Their Rights and Interests

Beijing, January 31, 2015 – Serious environmental degradation in China has created a significant number of pollution victims, but there is no current legal framework to assist and guarantee their rights. In response, a multi-stakeholder conference in Beijing called for a new law to address this growing problem noting that China has already promulgated a series of laws for the rights and interests of certain vulnerable groups including the *Law on the Protection of Persons with Disabilities*, the *Law on the Protection of the Rights and Interests of Women*, the *Law on the Protection of the Rights and Interests of the Elderly*, and the *Law on the Protection of Minors*.

“The scope of the problems faced by pollution victims is huge,” said Mao Da, from Green Beagle. “But there is no corresponding law that addresses assistance and guarantees their rights. This needs to be addressed as a matter of urgency.” The conference entitled “Suffering and hope – an annual review of assistance to pollution victims” examined this issue in a concluding event of the EU-funded project “Strengthening the capacity of pollution victims and civil society organizations to increase chemical safety in China” (1). Conference participants included environmentalists, lawyers, journalists, monitoring specialists and representatives of pollution victims. After reviewing case study examples of pollution victims, the conference agreed by consensus to call for the promulgation of the Law on Assistance to Pollution Victims and the Assurance of Their Rights and Interests.

Seven environmental volunteers first introduced case studies of pollution victims and how they tried to resolve their dangerous situation. These examples included children with dangerously high blood lead levels in Wengyuan County, Guangdong Province; the chemical fertilizer incident of Kaimenzi Fertilizer Group in Lankao County, Henan Province; dust pollution by Guofeng Iron and Steel in Tangshan City, Hebei Province; water pollution by Dexing Copper Mine in Jiangxi Province; injustice to victims of pollution by Zhongxiang Chemical; and victims of pollution by Guodingshan Domestic Waste Incineration Facility in Wuhan City, Hubei Province.

“Why haven’t we received any compensation for reduced or even no crops from around 70 hectares of farmland polluted by liquid and solid wastes from the chemical plant? Why hasn’t the court started to hear this case after we have fought with the polluting company for eight years? Why hasn’t the Environmental Protection Bureau informed us of the results after it measured the wastewater and soil samples? Why should the head of the rights protection campaign and the lawyer who provides us with legal assistance, both of whom are now seriously ill, pay all the treatment expenses for themselves?” asked Wang Baoqin, a victim of chemical pollution from a mercury-based PVC plant in Qiqihar City, Heilongjiang Province.

[more follows]

Pan Qing'an, one of the founders of Shuguang, a Hunan based environmental NGO, noted that there were two reasons for pollution victims' emerging as a group justifying a new law: 1) A significant number of people have been suffering harms from environmental pollution, including the impossibility of a normal life, health threats and the loss of livelihoods; and 2) There is a corresponding social injustice due to the lack of sound rule of law and the government's inaction when they rose to protect their rights and interests. Therefore, drafting a pollution victims' law is therefore urgently necessary to facilitate timely assistance and guarantee victims' rights and interests under the law.

In response to the discussion, the conference considered a *Proposal for Making the Law on the Assistance to Pollution Victims and the Assurance of Their Rights and Interests* before reading it at the site of the event. The Proposal offers preliminary recommendations on what elements the law should contain. "This law should reflect important principles such as equality and prevention. More importantly, it should remove all the institutional obstacles to pollution victims' rights protection efforts," said Zhao Liang, one of the drafters and the head of the Tianjin Binhai Environmental Advisory Service Center, an environmental NGO.

Li Zhenzhen, a volunteer who participated in discussions on the Top10 obstacles to providing pollution victims with assistance observed that, "There is often ineffectiveness of intervention by medical care and disease control. For example, in a polluted area surrounding the Guodingshan waste incineration facility in Wuhan City eight of the nearby residents died from cancers in 2013." Li proposed setting up a medical assistance team as soon as possible along with legal assistance.

Lastly, Feng Yongfeng, a well-known environmentalist and journalist, said that "We may set up a non-governmental committee for drafting this law and gather the opinions of those who work directly for assistance to pollution victims, before putting forward a detailed draft and urging relevant authorities to finalize the *Law on Assistance to Pollution Victims and the Assurance of Their Rights and Interests* as early as possible."

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Footnotes

- (1) Strengthening the capacity of pollution victims and civil society organizations to increase chemical safety in China is an EU-funded project of IPEN with partners Arnika – Toxics and Waste Programme and Green Beagle that aims to strengthen the capacity of civil society organizations and communities impacted by pollution to increase chemical safety in China. The Project (also known as the China Chemical Safety Project) is being implemented in China over two years with the EU contribution. For more information please visit:

<http://ipen.org/projects/china-chemical-safety-project-2012-%E2%80%93-2014>

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